# **PROOF**

# STATE OF IOWA

# Senate Journal

WEDNESDAY, APRIL 19, 2017

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# JOURNAL OF THE SENATE

# ONE HUNDRED FIRST CALENDAR DAY SIXTY-NINTH SESSION DAY

Senate Chamber Des Moines, Iowa, Wednesday, April 19, 2017

The Senate met in regular session at 9:05 a.m., President Whitver presiding.

Prayer was offered by the Ottumwa Meister Singers, directed by Mr. Dennis Vasconez. They were the guests of Senator Chelgren.

# PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Mary Tess Urbanek.

The Journal of Tuesday, April 18, 2017, was approved.

#### HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 2017, **passed** the following bills in which the concurrence of the House was asked:

<u>Senate File 1</u>, a bill for an act requiring jobs impact statements for administrative rules.

Senate File 505, a bill for an act providing for the establishment of first-time homebuyer savings accounts in Iowa, including related individual income tax exemptions, and including applicability provisions.

Senate File 508, a bill for an act relating to appropriations to the judicial branch.

<u>Senate File 510</u>, a bill for an act relating to and making appropriations and related statutory changes involving state government entities involved with agriculture, natural resources, and environmental protection, and including effective date provisions.

ALSO: That the House has on April 18, 2017, **concurred** in the Senate amendment **and passed** the following bill in which the concurrence of the House was asked:

<u>House File 526</u>, a bill for an act relating to the criminal offense of harassment or invasion of privacy, providing penalties, and making penalties applicable.

ALSO: That the House has on April 18, 2017, amended and passed the following bills in which the concurrence of the Senate is asked:

<u>Senate File 445</u>, a bill for an act relating to law enforcement officers including the establishment of a law enforcement officer privilege and the confidentiality of certain law enforcement officer personnel records. (S-3347)

<u>Senate File 467</u>, a bill for an act relating to restrictions on the receipt by certain felons of certain insurance proceeds and other benefits. (S-3348)

<u>Senate File 509</u>, a bill for an act relating to appropriations to the justice system. (S=3349)

ALSO: That the House has on April 18, 2017, **amended** the Senate amendment, **concurred** in the Senate amendment **as amended**, **and passed** the following bill in which the concurrence of the Senate is asked:

<u>House File 69</u>, a bill for an act modifying penalties for trespassing. (S-3350)

ALSO: That the House has on April 18, 2017, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 440, a bill for an act relating to the filing and publication duties of county agricultural extension councils.

ALSO: That the House has on April 18, 2017, **passed** the following bills in which the concurrence of the Senate is asked:

<u>House File 596</u>, a bill for an act relating to an appropriation to support the national junior angus show and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

<u>House File 636</u>, a bill for an act relating to authorized expenditures from the veterans trust fund.

Read first time and referred to committee on **Appropriations**.

<u>House File 637</u>, a bill for an act relating to state government operations concerning background checks and investigations of employees of the office of the chief information officer and the credit union division and eliminating the technology advisory council.

Read first time and referred to committee on Appropriations.

House File 643, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the revenue bonds capitals fund, providing for related matters, and including effective date provisions.

Read first time and attached to similar **Senate File 514**.

#### RECESS

On motion of Senator Dix, the Senate recessed at 9:15 a.m. until the completion of a meeting of the committee on Rules and Administration (1:15 p.m.)

### RECONVENED

The Senate reconvened at 1:36 p.m., President Whitver presiding.

# FINAL COMMITTEE REPORT OF BILL ACTION

#### RULES AND ADMINISTRATION

**Bill Title:** <u>SENATE RESOLUTION 17</u> (<u>SSB 1200</u>), a resolution deferring action on the confirmation of certain appointments submitted by the Governor.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Dix, Whitver, Hogg, Behn, Feenstra, Jochum, Ragan,

Schneider, Sinclair, and Smith. Nays, 1: Dvorsky. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

# INTRODUCTION OF RESOLUTION

<u>Senate Resolution 17</u>, by committee on Rules and Administration, a resolution deferring action on the confirmation of certain appointments submitted by the Governor.

Read first time under Rule 28 and placed on calendar.

# CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate Resolution 17.

#### **Senate Resolution 17**

On motion of Senator Dix, <u>Senate Resolution 17</u>, A resolution for deferring action on the confirmation of certain appointments submitted by the Governor, was taken up for consideration.

Senator Dix moved the adoption of <u>Senate Resolution 17</u>, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 176.

#### Senate File 176

On motion of Senator Zumbach, <u>Senate File 176</u>, a bill for an act relating to programs and projects administered by the economic development authority, placed on the Unfinished Business Calendar on March 31, 2017, was taken up for consideration.

Senator Zumbach offered amendment <u>S-3344</u>, filed by him on April 18, 2017, to page 5 of the bill, and moved its adoption.

Amendment S-3344 was adopted by a voice vote.

Senator Zumbach asked and received unanimous consent that **House File 621** be **substituted** for **Senate File 176**.

# **House File 621**

On motion of Senator Zumbach, <u>House File 621</u>, a bill for an act relating to programs and projects administered by the economic development authority, was taken up for consideration.

Senator Zumbach offered amendment <u>S-3345</u>, filed by him on April 18, 2017, to pages 5–6 of the bill, and moved its adoption.

Amendment  $\underline{S-3345}$  was adopted by a voice vote.

Senator Zumbach moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 621), the vote was:

#### Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun

Chapman Hart Petersen Zumbach

Chelgren Hogg Quirmbach Costello Horn Ragan

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### WITHDRAWN

Senator Zumbach asked and received unanimous consent that **Senate File 176** be **withdrawn** from further consideration of the Senate.

# CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 356.

#### Senate File 356

On motion of Senator Feenstra, <u>Senate File 356</u>, a bill for an act relating to the property assessment appeal board by striking the future repeal of provisions relating to the board, modifying procedures and requirements for appeals to the board, and including applicability provisions, was taken up for consideration.

Senator Feenstra asked and received unanimous consent that action on **Senate File 356** be **deferred**.

# CONSIDERATION OF BILL (Unfinished Business Calendar)

Senator Dix asked and received unanimous consent to take up for consideration House File 296.

#### House File 296

On motion of Senator Schultz, <u>House File 296</u>, a bill for an act relating to controlled substances, including by temporarily designating substances as controlled substances, modifying the penalties for imitation controlled substances and certain controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and providing penalties, placed on the Unfinished Business Calendar on April 7, 2017, with report of committee recommending passage, was taken up for consideration.

Senator Schultz withdrew amendment <u>S-3299</u>, filed by him on April 10, 2017, to pages 5–6 of the bill.

Senator Schultz offered amendment <u>S-3351</u>, filed by him from the floor to page 6 of the bill, and moved its adoption.

Amendment S-3351 was adopted by a voice vote.

Senator Greene offered amendment <u>S-3307</u>, filed by him on April 11, 2017, to page 11 and amending the title page of the bill, and moved its adoption.

Amendment S-3307 was adopted by a voice vote.

Senator Schultz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 296), the vote was:

#### Yeas, 48:

Allen Anderson	Danielson Dawson	Horn Jochum	Quirmbach Ragan
Behn	Dix	Johnson, C.	Rozenboom
Bertrand	Dotzler	Johnson, D.	Schneider
Bisignano	Dvorsky	Kapucian	Schultz
Boulton	Edler	Kinney	Segebart
Bowman	Feenstra	Kraayenbrink	Shipley
Breitbach	Garrett	Lofgren	Sinclair
Brown	Greene	Lykam	Smith

Chapman Guth Mathis Whitver
Chelgren Hart McCoy Zaun
Costello Hogg Petersen Zumbach

Nays, 2:

Bolkcom Taylor

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

#### IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **House Files 296** and **621** be **immediately messaged** to the House.

# CONSIDERATION OF BILL (Appropriations Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 513.

# Senate File 513

On motion of Senator Lofgren, <u>Senate File 513</u>, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters, was taken up for consideration.

Senator D. Johnson offered amendment <u>S-3338</u>, filed by him on April 18, 2017, to page 40 and amending the title page of the bill.

Senator Lofgren raised the point of order that amendment  $\underline{S-3338}$  was not germane to the bill.

The Chair ruled the point well-taken and amendment <u>S-3338</u> out of order.

Senator Bisignano offered amendment <u>S-3355</u>, filed by him from the floor to page 40 and amending the title page of the bill.

Senator Lofgren raised the point of order that amendment  $\underline{S-3355}$  was not germane to the bill.

The Chair ruled the point well-taken and amendment  $\underline{S-3355}$  out of order.

Senator Lofgren moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 513), the vote was:

#### Yeas, 31:

Anderson	Danielson	Johnson, C.	Segebart
Behn	Dawson	Johnson, D.	Shipley
Bertrand	Dix	Kapucian	Sinclair
Breitbach	Edler	Kraayenbrink	Smith
Brown	Feenstra	Lofgren	Whitver
Chapman	Garrett	Rozenboom	Zaun
Chelgren	Greene	Schneider	Zumbach
Costello	Guth	Schultz	
Nays, 19:			
Allen	Dotzler	Jochum	Petersen
Bisignano	Dvorsky	Kinney	Quirmbach

Hart

Hogg

Horn

Absent, none.

Bolkcom

Boulton

Bowman

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Lykam

Mathis

McCoy

Ragan

Taylor

# CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Dix asked and received unanimous consent to take up for consideration House Files 609 and 617.

# **House File 609**

On motion of Senator Feenstra, <u>House File 609</u>, a bill for an act providing for the imposition of the local hotel and motel tax by a land use district, with report of committee recommending passage, was taken up for consideration.

Senator Hart offered amendment <u>S-3357</u>, filed by her from the floor to page 3 and amending the title page of the bill.

Senator Feenstra raised the point of order that amendment <u>S-3357</u> was not germane to the bill.

The Chair ruled the point well-taken and amendment <u>S-3357</u> out of order.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 609), the vote was:

#### Yeas, 47:

Allen	Danielson	Horn	Ragan
Anderson	Dawson	Jochum	Rozenboom
Behn	Dix	Johnson, C.	Schneider
Bertrand	Dotzler	Kapucian	Schultz
Bisignano	Dvorsky	Kinney	Segebart
Bolkcom	Edler	Kraayenbrink	Shipley
Boulton	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Whitver
Chapman	Guth	McCoy	Zaun
Chelgren	Hart	Petersen	Zumbach
Costello	Hogg	Quirmbach	

Nays, 3:

Bowman Johnson, D. Taylor

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

#### **House File 617**

On motion of Senator Behn, House File 617, a bill for an act providing for the department of agriculture and land stewardship's administration of certain functions, relating to forest and fruit tree reservation requirements, the name of the state soil conservation committee, financing of soil conservation and water quality practices, the health of agricultural animals, issuance of two-year licenses and the collection of related fees imposed upon persons engaged in the marketing of agricultural animals and mining operations, license fees imposed upon pesticide dealers, tickets for delivering commodities in bulk, labeling of motor fuel pumps dispensing certain ethanol blended gasoline, the use of scales, providing for penalties, making penalties applicable, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Behn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 617), the vote was:

#### Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

# IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate** File 513 and House Files 609 and 617 be immediately messaged to the House.

# CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Dix asked and received unanimous consent to take up for consideration House File 242.

# **House File 242**

On motion of Senator Feenstra, <u>House File 242</u>, a bill for an act relating to the individual income tax checkoff for the Iowa election campaign fund by providing for the future repeal of the tax checkoff and the Iowa election campaign fund, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 242), the vote was:

#### Yeas, 37:

Allen	Danielson	Johnson, D.	Segebart
Anderson	Dawson	Kapucian	Shipley
Behn	Dix	Kinney	Sinclair
Bertrand	Edler	Kraayenbrink	Smith
Bowman	Feenstra	Lofgren	Whitver
Breitbach	Garrett	Mathis	Zaun
Brown	Greene	Ragan	Zumbach
Chapman	Guth	Rozenboom	
Chelgren	Hart	Schneider	
Costello	Johnson, C.	Schultz	

Nays, 13:

Dotzler

Bisignano Dvorsky Lykam Taylor Bolkcom Hogg McCoy Boulton Horn Petersen

Jochum

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Quirmbach

# IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that <u>House</u> <u>File 242</u> be <u>immediately messaged</u> to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 514.

# Senate File 514

On motion of Senator Bertrand, <u>Senate File 514</u>, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the revenue bonds capitals fund, providing for related matters, and including effective date provisions, was taken up for consideration.

Senator Bertrand offered amendment  $\underline{S-3352}$ , filed by him from the floor to pages 1, 5–7, 11, 12, and 14 of the bill, and moved its adoption.

Amendment S-3352 was adopted by a voice vote.

Senator Bertrand asked and received unanimous consent that **House File 643** be **substituted** for **Senate File 514**.

(House File 643 was deferred.)

The Senate stood at ease at 2:56 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 3:36 p.m., President Whitver presiding.

The Senate resumed consideration of House File 643.

# **House File 643**

On motion of Senator Bertrand, <u>House File 643</u>, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the revenue bonds capitals fund, providing for related matters, and including effective date provisions, was taken up for consideration.

Senator Bertrand moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 643), the vote was:

#### Yeas, 42:

Allen Anderson Behn Bertrand Bisignano Boulton Breitbach Brown Chapman Chelgren Costello Nays, 8:	Danielson Dawson Dix Dotzler Dvorsky Edler Feenstra Garrett Greene Guth Horn	Johnson, C. Johnson, D. Kapucian Kraayenbrink Lofgren Lykam Mathis McCoy Petersen Ragan Rozenboom	Schneider Schultz Segebart Shipley Sinclair Smith Whitver Zaun Zumbach
Bolkcom	Hart	Jochum	Quirmbach
Bowman	Hogg	Kinney	Taylor

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

# WITHDRAWN

Senator Bertrand asked and received unanimous consent that **Senate File 514** be **withdrawn** from further consideration of the Senate.

#### HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 19, 2017, **passed** the following bills in which the concurrence of the House was asked:

<u>Senate File 401</u>, a bill for an act relating to civil protective orders in domestic abuse and sexual abuse cases, and making penalties and remedies applicable.

<u>Senate File 499</u>, a bill for an act prohibiting the use of certain monitoring devices in certain locations open to the public, and including effective date provisions.

ALSO: That the House has on April 19, 2017, **concurred** in the Senate amendment **and passed** the following bills in which the concurrence of the House was asked:

<u>House File 564</u>, a bill for an act relating to school district funding and authorized expenditures and transfers and including effective date, applicability, and retroactive applicability provisions.

House File 565, a bill for an act relating to public school funding by authorizing the establishment of school district flexibility fund accounts and authorizing the transfer and expenditure of certain unexpended and unobligated funds.

ALSO: That the House has on April 19, 2017, **passed** the following bill in which the concurrence of the Senate is asked:

<u>House File 648</u>, a bill for an act relating to career and technical education programs and partnerships and including effective date provisions.

Read first time and referred to committee on **Appropriations**.

# CONSIDERATION OF BILL (Appropriations Calendar)

Senator Dix asked and received unanimous consent to take up for consideration Senate File 512.

#### Senate File 512

On motion of Senator Rozenboom, Senate File 512, a bill for an act relating to water quality by amending the wastewater treatment financial assistance program, creating a water quality infrastructure fund, establishing a water quality financing program, providing for cost-share programs for infrastructure on agricultural and urban land under the water quality initiative, creating a water service excise tax and a related sales tax exemption, making transfers and appropriations and other changes properly related to water quality, and including effective date provisions, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator D. Johnson offered amendment <u>S-3331</u>, filed by him on April 18, 2017, striking and replacing everything after the enacting clause and amending the title page of the bill.

Senator Chelgren raised the point of order that amendment <u>S-3331</u> was not germane to the bill.

The Chair ruled the point not well-taken and amendment <u>S-3331</u> in order.

Senator D. Johnson moved the adoption of amendment <u>S-3331</u>.

A record roll call was requested.

On the question "Shall amendment  $\underline{S-3331}$  be adopted?" ( $\underline{S.F.\ 512}$ ), the vote was:

#### Yeas, 16:

Bolkcom	Greene	Johnson, D.	Petersen
Boulton	Hogg	Lykam	Quirmbach
Dotzler	Horn	Mathis	Ragan
Dvorsky	Jochum	McCoy	Taylor

Nays, 34:

Allen Chelgren Hart Segebart Costello Johnson, C. Shipley Anderson Behn Danielson Kapucian Sinclair Smith Bertrand Dawson Kinney Kraayenbrink Whitver Bisignano Dix Bowman Edler Lofgren Zaun Zumbach Breitbach Feenstra Rozenboom Garrett Schneider Brown

Absent, none.

Chapman

Amendment S-3331 lost.

Guth

Senator Rozenboom offered amendment <u>S-3356</u>, filed by him from the floor to pages 1 and 18 of the bill, and moved its adoption.

Schultz

Amendment <u>S-3356</u> was adopted by a voice vote.

With the adoption of amendment <u>S-3356</u>, the Chair ruled amendment <u>S-3336</u>, filed by Senator McCoy on April 18, 2017, to page 1 of the bill; and amendment <u>S-3341</u>, filed by Senator Rozenboom on April 18, 2017, to page 1 of the bill, out of order.

Senator D. Johnson offered amendment <u>S-3332</u>, filed by him on April 18, 2017, to pages 1 and 6 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment  $\underline{S-3332}$  be adopted?" (S.F. 512), the vote was:

#### Yeas, 17:

Allen Hart Lvkam Ragan Bolkcom Hogg Mathis Taylor Boulton Horn McCoy Dotzler Jochum Petersen Dvorsky Johnson, D. Quirmbach

Nays, 33:

Costello Shipley Anderson Johnson, C. Danielson Kapucian Sinclair Behn Bertrand Dawson Kinney SmithBisignano Dix Kraayenbrink Whitver Bowman Edler Lofgren Zaun Rozenboom Zumbach Breitbach Feenstra Garrett Schneider BrownChapman Greene Schultz

Absent, none.

Chelgren

Amendment S-3332 lost.

Senator D. Johnson offered amendment  $\underline{S-3358}$ , filed by him from the floor to page 5 of the bill, and moved its adoption.

Segebart

A record roll call was requested.

Guth

On the question "Shall amendment  $\underline{S-3358}$  be adopted?" ( $\underline{S.F.\ 512}$ ), the vote was:

Quirmbach

Ragan

Taylor

Yeas, 21:

Allen Dotzler Johnson, D. Dvorsky Bisignano Kinney Bolkcom Lykam Hart Boulton Hogg Mathis Horn McCoy Bowman Danielson Jochum Petersen

 $Johnson,\,C.$ 

Nays, 29:

Sinclair Anderson Dawson Kapucian Kraayenbrink Smith Behn Dix Bertrand Edler Lofgren Whitver Breitbach Feenstra Rozenboom Zaun SchneiderBrown Garrett Zumbach Chapman Greene Schultz Segebart Chelgren Guth

Shipley

Absent, none.

Costello

Amendment S-3358 lost.

Senator Dvorsky offered amendment <u>S-3354</u>, filed by Senators Dvorsky, Hart, and Kinney from the floor to pages 9, 10, 16, and 17 of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment  $\underline{S-3354}$  be adopted?" ( $\underline{S.F.\ 512}$ ), the vote was:

#### Yeas, 22:

Allen	Danielson	Jochum	Petersen
Bisignano	Dotzler	Johnson, D.	Quirmbach
Bolkcom	Dvorsky	Kinney	Ragan
Boulton	Hart	Lykam	Taylor
Bowman	Hogg	Mathis	
Chelgren	Horn	McCoy	

#### Nays, 28:

Anderson	Dawson	Johnson, C.	Segebart
Behn	Dix	Kapucian	Shipley
Bertrand	Edler	Kraayenbrink	Sinclair
Breitbach	Feenstra	Lofgren	Smith
Brown	Garrett	Rozenboom	Whitver
Chapman	Greene	Schneider	Zaun
Costello	Guth	Schultz	Zumbach

Absent, none.

Amendment S-3354 lost.

Senator Rozenboom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 512), the vote was:

# Yeas, 31:

Anderson	Costello	Johnson, C.	Segebart
Behn	Dawson	Kapucian	Shipley
Bertrand	Dix	Kinney	Sinclair
Bowman	Edler	Kraayenbrink	Smith
Breitbach	Feenstra	Lofgren	Whitver
Brown	Garrett	Rozenboom	Zaun
Chapman	Greene	Schneider	Zumbach
Chelgren	Guth	Schultz	

Nays, 19:

Allen	Dotzler	Jochum	Petersen
Bisignano	Dvorsky	Johnson, D.	Quirmbach
Bolkcom	Hart	Lykam	Ragan
Boulton	Hogg	Mathis	Taylor
Danielson	Horn	McCoy	

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

# IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that <u>Senate</u> <u>File 512</u> and <u>House File 643</u> be <u>immediately messaged</u> to the House.

# CONFIRMATION OF GOVERNOR'S APPOINTMENTS

In accordance with Senate Rule 59, Senator Dix called up the following eligible appointees on the En Bloc Confirmation Calendar:

Benjamin Jung, Commission of Asian and Pacific Islander Affairs Amy Iles, Boiler and Pressure Vessel Board

Senator Dix moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

#### Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

The appointees, having received a two-thirds vote, were declared to have been confirmed by the Senate.

# CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Dix called up the appointment and reappointment of Dr. Nicholas Chilcoat as a member of the Economic Development Authority, placed on the Individual Confirmation Calendar on April 5, 2017, found on page 902 of the Senate Journal.

Senator Dawson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

#### Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Gary Steinke as a member of the Higher Education Loan Authority, placed on the Individual Confirmation Calendar on March 30, 2017, found on page 836 of the Senate Journal.

Senator Kraayenbrink moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

#### Yeas, 49:

Danielson Jochum Schneider Allen Dawson Johnson, C. Schultz Anderson Behn Dix Johnson, D. Segebart Dotzler Shipley Bertrand Kapucian Bisignano Dvorsky Kinney Sinclair BolkcomEdler Kraayenbrink Smith BoultonFeenstra Lofgren Taylor Bowman Garrett Lykam Whitver Breitbach Greene Mathis Zaun Guth McCoy Zumbach Brown Chapman Hart Petersen Chelgren Hogg Ragan Rozenboom Costello Horn

Nays, 1:

Quirmbach

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Michael Mauro as Labor Commissioner, placed on the Individual Confirmation Calendar on April 4, 2017, found on page 879 of the Senate Journal.

Senator Schultz moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

#### Yeas, 50:

Allen Danielson Jochum Rozenboom Johnson, C. Schneider Anderson Dawson Behn Dix Johnson, D. Schultz Kapucian Segebart Bertrand Dotzler Bisignano Dvorsky Kinney Shipley Bolkcom Edler Kraayenbrink Sinclair Boulton Lofgren Smith Feenstra Bowman Garrett Lykam Taylor Breitbach Greene Mathis Whitver Brown Guth McCoy Zaun

Chapman Hart Petersen Zumbach Chelgren Hogg Quirmbach Costello Horn Ragan

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Terry Rich as Chief Executive Officer of the Iowa Lottery Authority, placed on the Individual Confirmation Calendar on March 28, 2017, found on page 805 of the Senate Journal.

Senator Smith moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

#### Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Diane Clark as a member of the Board of Medicine, placed on the Individual Confirmation Calendar on April 3, 2017, found on page 856 of the Senate Journal.

Senator Smith moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

#### Yeas, 32:

Anderson	Costello	Johnson, C.	Schultz
Behn	Dawson	Johnson, D.	Segebart
Bertrand	Dix	Kapucian	Shipley
Bowman	Edler	Kinney	Sinclair
Breitbach	Feenstra	Kraayenbrink	Smith
Brown	Garrett	Lofgren	Whitver
Chapman	Greene	Rozenboom	Zaun
Chelgren	Guth	Schneider	Zumbach
Nays, 18:			
Allen	Dotzler	Jochum	Quirmbach
Bisignano	Dvorsky	Lykam	Ragan
Bolkcom	Hart	Mathis	Taylor
Boulton	Hogg	McCoy	
Danielson	Horn	Petersen	

Absent, none.

The appointee, having not received a two-thirds vote, was declared to have failed confirmation by the Senate.

Senator Dix called up the appointment of Hamed Tewfik as a member of the Board of Medicine, placed on the Individual Confirmation Calendar on April 3, 2017, found on page 857 of the Senate Journal.

Senator Feenstra moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 32:

Costello Johnson, C. Schultz Anderson Dawson Johnson, D. Segebart Behn Bertrand Dix Kapucian Shipley Edler Sinclair Bowman Kinney Breitbach Feenstra Kraayenbrink Smith Brown Garrett Lofgren Whitver Chapman Greene Rozenboom Zaun Chelgren Guth Schneider Zumbach

Nays, 18:

Allen Dotzler Jochum Quirmbach Dvorsky Lykam Ragan Bisignano Bolkcom Hart Mathis Taylor Boulton Hogg McCoy Danielson Horn Petersen

Absent, none.

The appointee, having not received a two-thirds vote, was declared to have failed confirmation by the Senate.

#### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sinclair, until she returns, on request of Senator Dix.

Senator Dix called up the appointment of Chuck Gipp as Director of the Department of Natural Resources, placed on the Individual Confirmation Calendar on March 29, 2017, found on page 820 of the Senate Journal.

Senator Greene moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Yeas, 49:

Allen Danielson Jochum Rozenboom Anderson Dawson Johnson, C. Schneider Behn Dix Johnson, D. Schultz Bertrand DotzlerSegebart Kapucian Shipley Bisignano Dvorsky Kinney Bolkcom Edler Kraayenbrink Smith Boulton Feenstra Lofgren Taylor Bowman GarrettLykam Whitver Breitbach Greene MathisZaun Brown Guth McCoy Zumbach Chapman Hart Petersen Chelgren Quirmbach Hogg Costello Horn Ragan

Nays, none.

Absent, 1:

Sinclair

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Janet DeMott as a member of the Real Estate Commission, placed on the Individual Confirmation Calendar on April 4, 2017, found on page 880 of the Senate Journal.

Senator Schneider moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

#### Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Smith
Boulton	Feenstra	Lofgren	Taylor
Bowman	Garrett	Lykam	Whitver
Breitbach	Greene	Mathis	Zaun
Brown	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

Senator Dix called up the appointment of Lynn Schreder as a member of the Workforce Development Board, placed on the Individual Confirmation Calendar on April 4, 2017, found on page 880 of the Senate Journal.

Senator Chapman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

#### Yeas, 49:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Smith
Boulton	Feenstra	Lofgren	Taylor
Bowman	Garrett	Lykam	Whitver
Breitbach	Greene	Mathis	Zaun
Brown	Guth	McCoy	Zumbach
Chapman	Hart	Petersen	
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, 1:

Sinclair

The appointee, having received a two-thirds vote, was declared to have been confirmed by the Senate.

# RECESS

On motion of Senator Dix, the Senate recessed at 6:17 p.m. until 7:30 p.m.

#### RECONVENED

The Senate reconvened at 7:39 p.m., President Whitver presiding.

#### **QUORUM CALL**

Senator Dix requested a nonrecord roll call to determine that a quorum was present.

The vote revealed 48 present, 2 absent, and a quorum present.

Senator Schultz took the chair at 7:44 p.m.

President Whitver took the chair at 7:46 p.m.

# HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

#### **House File 69**

Senator Dix called up for consideration <u>House File 69</u>, a bill for an act modifying penalties for trespassing, amended by the Senate and further amended by the House in House amendment  $\underline{S-3350}$  to Senate amendment  $\underline{H-1340}$ , filed April 19, 2017.

Senator Shipley moved that the Senate concur in the House amendment to the Senate amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment to the Senate amendment.

Senator Shipley moved that the bill, as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 69), the vote was:

#### Yeas, 49:

Danielson Jochum Schneider Allen Dawson Johnson, C. Schultz Anderson Behn Dix Johnson, D. Segebart Dotzler Shipley Bertrand Kapucian Bisignano Dvorsky Kinney Sinclair Bolkcom Edler Kraayenbrink Smith BoultonFeenstra Lofgren Taylor Bowman Whitver Garrett Lykam Breitbach Greene Mathis Zaun Zumbach Brown Guth Petersen Chapman Hart Quirmbach Chelgren Hogg Ragan Costello Horn Rozenboom

Nays, 1:

McCoy

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

#### HOUSE AMENDMENTS CONSIDERED

#### Senate File 445

Senator Dix called up for consideration <u>Senate File 445</u>, a bill for an act relating to law enforcement officers including the establishment of a law enforcement officer privilege and the confidentiality of certain law enforcement officer personnel records, amended by the House in House amendment <u>S-3347</u>, filed April 19, 2017.

Senator Dawson moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Dawson moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 445), the vote was:

Yeas, 50:

A 11

Allen	Danielson	Jochum	Kozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

# Senate File 467

Senator Dix called up for consideration <u>Senate File 467</u>, a bill for an act relating to restrictions on the receipt by certain felons of certain insurance proceeds and other benefits, amended by the House in House amendment <u>S-3348</u>, filed April 19, 2017.

Senator Garrett moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Garrett moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 467), the vote was:

Yeas, 50:

Allen	Danielson	Jochum	Rozenboom
Anderson	Dawson	Johnson, C.	Schneider
Behn	Dix	Johnson, D.	Schultz
Bertrand	Dotzler	Kapucian	Segebart
Bisignano	Dvorsky	Kinney	Shipley
Bolkcom	Edler	Kraayenbrink	Sinclair
Boulton	Feenstra	Lofgren	Smith
Bowman	Garrett	Lykam	Taylor
Breitbach	Greene	Mathis	Whitver
Brown	Guth	McCoy	Zaun
Chapman	Hart	Petersen	Zumbach
Chelgren	Hogg	Quirmbach	
Costello	Horn	Ragan	

Nays, none.

Absent, none.

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

# Senate File 509

Senator Dix called up for consideration <u>Senate File 509</u>, a bill for an act relating to appropriations to the justice system, amended by the House in House amendment <u>S-3349</u>, filed April 19, 2017.

Senator Chelgren moved that the Senate concur in the House amendment.

A nonrecord roll call was requested.

The motion prevailed by a voice vote and the Senate **concurred** in the House amendment.

Senator Chelgren moved that the bill, as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 509), the vote was:

#### Yeas, 29:

Anderson	Dawson	Kapucian	Sinclair
Behn	Dix	Kraayenbrink	Smith
Bertrand	Edler	Lofgren	Whitver
Breitbach	Feenstra	Rozenboom	Zaun
Brown	Garrett	Schneider	Zumbach
Chapman	Greene	Schultz	
Chelgren	Guth	Segebart	
Costello	Johnson, C.	Shipley	
Nays, 21:			
Allen	Dotzler	Johnson, D.	Quirmbach
Bisignano	Dvorsky	Kinney	Ragan
Bolkcom	Hart	Lykam	Taylor
Boulton	Hogg	Mathis	
_			

Horn

Jochum

Absent, none.

Bowman

Danielson

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

McCoy

Petersen

# IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that **Senate** Files 445, 467, and 509 and <u>House File 69</u> be immediately messaged to the House.

# HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 19, 2017, **passed** the following bill in which the concurrence of the House was asked:

<u>Senate File 513</u>, a bill for an act making appropriations to the department of cultural affairs, the economic development authority, the Iowa finance authority, the public employment relations board, the department of workforce development, and the state board of regents and certain regents institutions, and properly related matters.

ALSO: That the House has on April 19, 2017, **passed** the following bill in which the concurrence of the Senate is asked:

House File 653, a bill for an act relating to appropriations for health and human services and veterans and including other related provisions and appropriations, providing penalties, and including effective date and retroactive and other applicability date provisions.

Read first time and attached to similar Senate File 515.

#### ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 8:31 p.m. until 9:00 a.m., Thursday, April 20, 2017.

#### APPENDIX

#### COMMUNICATION RECEIVED

The following communication was received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### CREDIT UNION DIVISION

Judicial Review Report – Credit Union Division, pursuant to Iowa Code section 625.29. Report received on April  $19,\,2107$ .

# CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Kristi Keller, Donnellson—For celebrating her 60th birthday. Senator Taylor.

#### REPORT OF COMMITTEE MEETING

#### RULES AND ADMINISTRATION

Convened: Wednesday, April 19, 2017, 11:55 a.m.

Members Present: Dix, Chair; Whitver, Vice Chair; Hogg, Ranking Member; Behn,

Dvorsky, Feenstra, Jochum, Ragan, Schneider, Sinclair, and Smith.

Members Absent: None.

Committee Business: Passed SSB 1200.

Adjourned: 11:55 a.m.

#### SUBCOMMITTEE ASSIGNMENT

#### **House File 631**

WAYS AND MEANS: Feenstra, Chair; Anderson, Behn Bolkcom, Breitbach, Brown, Dawson, Dotzler, Edler, Jochum, McCoy, Petersen, Quirmbach, Schultz, and Smith

# WITHDRAWAL OF GOVERNOR'S APPOINTEES

The following letters from the Governor were received in the office of the Secretary of the Senate on April 18, 2017:

I am withdrawing the name of David Greenspon to serve as a member of the Iowa Finance Authority Board of Directors from further consideration by the Senate.

I am withdrawing the name of Tom Conley to serve as a member of the Iowa State Civil Rights Commission from further consideration by the Senate.

 $\begin{array}{c} {\rm Sincerely,} \\ {\rm TERRY\; E.\; BRANSTAD} \\ {\rm Governor} \end{array}$ 

# GOVERNOR'S DEFERRAL LETTERS

The following letters from the Governor were received in the office of the Secretary of the Senate on April 18, 2017:

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa Finance Authority Board of Directors, formerly held by David Greenspon. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

Pursuant to Iowa Code section 2.32, please accept this letter as the notice of deferment of the appointment to the Iowa State Civil Rights Commission, formerly held by Tom Conley. This appointment has been deferred because our Administration has initiated, but has not yet completed, the selection process which will result in determining the most appropriate person to nominate for this position.

#### AMENDMENTS FILED

S-3347	S.F.	445	House
S-3348	S.F.	467	House
S-3349	S.F.	509	House
S-3350	H.F.	69	House
S-3351	H.F.	296	Jason Schultz
$\overline{S-3352}$	S.F.	514	Rick Bertrand
$\overline{S-3353}$	S.F.	356	Randy Feenstra
$\overline{S-3354}$	S.F.	512	Robert E. Dvorsky
			Kevin Kinney
			Rita Hart
S-3355	S.F.	513	Tony Bisignano
S-3356	S.F.	512	Ken Rozenboom
S-3357	H.F.	609	Rita Hart
S-3358	S.F.	512	David Johnson
S-3359	S.F.	516	David Johnson
S-3360	H.F.	478	Randy Feenstra
<u>S-3361</u>	S.F.	<u>516</u>	David Johnson
S-3362	S.F.	516	David Johnson
<u>S-3363</u>	H.F.	<u>573</u>	Mark Lofgren